THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.18384 of 1996

Dated:05.12.2006

Between
I.V.Tata Rao.

.....Petitioner

and

1.The Singareni Collieries Co., Ltd.,
rep., by its Chairman and Managing
Director, Kothagudem, Khammam
District and another.

…Respondents

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.18384 of 1996

ORDER:

This writ petition is filed seeking a Mandamus to declare the action of the respondents in not paying the gratuity amount though the petitioner retired from service of the respondent company on 30.6.1986 *in spite* of making several representations, as arbitrary and illegal.

The only grievance of the petitioner is that though he retired from service on 30.6.1986, he has not been paid the retirement benefits including the gratuity amount.

It seems that the petitioner is still squatting over the quarter allotted to him by the respondent-company and he has not vacated the same.

Learned counsel for the petitioner states that the petitioner's son is also working in the same

company and he has applied for allotment of the said quarter. Even otherwise, the respondents have already taken out eviction proceedings under the Andhra Pradesh Public Premises (Eviction of unauthorized occupants) Act 1968.

In view of the above, insofar as gratuity is concerned, I am of the opinion that the gratuity amount could not have been withheld by the respondents on the ground that the petitioner has not vacated the quarter. Therefore, the respondents are directed to settle the gratuity amount and pay the same to the petitioner along with interest thereon, as per law, within a period of eight weeks from the date of receipt of a copy of this order.

Writ petition is disposed of accordingly. No costs.

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05-12-2006

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